

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 LARRY BOOKER,

4 Plaintiff

Case No. 3:18-cv-00407-MMD-WGC

ORDER

5 v.

6 C. POTTER, *et al.*,

7 Defendants
8

9 **I. DISCUSSION**

10 On September 16, 2019, the Court issued its Screening Order in this case. (ECF
11 No. 7.) In its Screening Order, the Court gave Plaintiff leave to file a notice clarifying
12 whether he is suing the Defendants in their official capacities, their personal capacities,
13 or both. (*Id.* at 6.) Plaintiff filed a notice indicating that he is suing Defendants C. Potter,
14 Steinhour, Garcia, T. Harenberg, and John Doe in both their official and individual
15 capacities. (ECF No. 9, at 2.) In light of Plaintiff's filing, Plaintiff's claim alleging that the
16 conditions of his confinement violated the Eighth Amendment will proceed against
17 Defendants Potter, Steinhour, Harenberg, and correctional officer John Doe (when
18 Plaintiff learns his identity), as outlined in the Court's Screening Order. (ECF No. 7.)

19 The 90-day stay the Court issued in its Screening Order will remain in place.
20 During the stay and until the Court lifts the stay, no other pleadings or papers shall be
21 filed in this case.

22 **II. CONCLUSION**

23 For the foregoing reasons, it is ordered that Plaintiff's claim alleging that the
24 conditions of his confinement violated the Eighth Amendment will proceed against
25 Defendants Potter, Steinhour, Harenberg, and correctional officer John Doe (when
26 Plaintiff learns his identity), as outlined in this Court's Screening Order

27 It is further ordered that the 90-day stay the Court issued in its Screening Order
28 will remain in place. During the stay and until the Court lifts the stay, no other pleadings

1 or papers shall be filed in this case.

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3 DATED THIS 4th day of October 2019.

4 William G. Cobb
5 UNITED STATES MAGISTRATE JUDGE
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